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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 2929 OF 2005
IN
INCOME TAX APPEAL (L) NO.1204 OF 2005

The Commissioner of Income Tax ... Appellant

Versus

M/s. Madhumilan Syntex Ltd. ... Respondent

Mr. B.M. Chatterjee with Ms. P.P. Bhosale and Mr. P.S. Sahadevan for the Appellants.

Mr. F.I. Irani with Mr. Atul K. Jasani for Respondent.

CORAM: F.I. REBELLO &
J.P. DEVADHAR, JJ.
DATED: SEPTEMBER 12, 2007

P.C.:

. There is delay of 386 days. Considering the time taken by the Law Department, we have in several cases condoning the delay. In the instant case, we find that the file was received by the Law Department on 21.2.2005 and the appeal was filed on 30.9.2005. There is no explanation whatsoever for the delay between receipt of the file and filing of the appeal memo.

. The learned counsel for the respondents contend that there is no sufficient cause for condonation of delay. After having considered the affidavit, we agree with the learned counsel for the respondents

that there is no sufficient explanation for the delay. In the light of that cause shown would not amount to sufficient cause. Hence, motion dismissed.

(J.P. DEVADHAR, J.) **(F.I.REBELLO, J.)**